

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

PATRICIA REED for  
LONNIE K. REED, deceased,

Plaintiff,  
No. CV05-1207-PK  
OPINION AND ORDER

v.

JOANNE BARNHART,  
Commissioner of Social Security

Defendant.

**MOSMAN, J.,**

On August 15, 2006, Magistrate Judge Papak issued Findings and Recommendation ("F&R") (#21) in the above-captioned case recommending the Commissioner's decision be AFFIRMED and the case DISMISSED. Plaintiff filed objections to the F&R on August 23, 2006 (#22). No response to the objections was filed.

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The district court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. Where objections have been made, I conduct a *de novo* review. 28 U.S.C. § 636(b)(1)(C). However, I am not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge to which no objections are made. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United*

*States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Upon review, I agree with Judge Papak's recommendation to AFFIRM the Commissioner's decision and DISMISS the case, and I ADOPT the F&R as my own opinion.

IT IS SO ORDERED.

DATED this 21st day of December, 2006.

/s/ Michael W. Mosman  
MICHAEL W. MOSMAN  
United States District Court